

**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
JOINT APPROPRIATIONS SUBCOMMITTEE
ROOM W015, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX
February 1, 2007**

Members Present: Sen. Michael G. Waddoups, Co-Chair
Rep. Eric K. Hutchings, Co-Chair
Sen. Scott D. McCoy
Rep. Douglas C. Aagard
Rep. Keith Grover
Rep. Christopher N. Herrod
Rep. Brad King
Rep. Curtis Oda
Rep. Jennifer M. Seelig

Members Absent: Sen. Curtis S. Bramble

Staff Present: Gary Ricks, Fiscal Analyst
Derek Byrne, Fiscal Analyst
Carrie Griffith, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Rep. Hutchings called the meeting to order at 2:26 p.m.

The committee was informed that items not put on the Building Block List by the end of the meeting would not be on the prioritization list for the final vote on February 5. Committee members were encouraged to review the list over the weekend and carefully consider what they want on their individual priority lists.

Other Business

The following bills were presented and discussed as to their fiscal impact on the committee:

- H.B. 32 Rep. J. Fisher **Expedited Parent-time Enforcement** (*Rep. Julie Fisher*)
Rep. Fisher distributed a handout relating to Co-parenting mediation. Rick Schwermer, Assistant Court Administrator, answered questions on how mediation costs are paid. Fiscal note of \$255,600.
- H.B. 5 Rep. Ray **Internet Sexual Predator Penalties** (*Rep. P. Ray*)
Fiscal note of \$93,600. Cliff Butter, Department of Corrections and Dave Walsh, CCJJ, answered questions relating to the bill.

- H.B. 93 Rep. Ray **Capital Offenses Amendments (Rep. P. Ray)**
Homicide bill, fiscal note of \$21,200 ongoing.
- H.B. 228 Rep. Wimmer **Penalty for Homicide of a Child (Rep. C. Wimmer)**
Fiscal note of \$4,300. This bill will be heard on the House floor February 2, 2007.
- H.B. 86 Rep. Wimmer **Increased Penalty for Second Conviction for Certain Sexual Offenses Against a Child (Rep. C. Wimmer)**
Asking for ongoing amount of \$38,800.
- H.B. 376 Rep. Wimmer **Penalties for Sex Offense Against a Child (Rep. C. Wimmer)**
This bill has not yet been presented to the Analysts. Sen. Waddoups recommended it be put on the list.
- H.B. 70 Rep. Ray **Assault on a Peace Officer - Penalty Amendment (Rep. P. Ray)**
Fiscal note of \$31,000.
- H.B. 25 Rep. Ray **Mortgage Fraud (Rep. P. Ray)**
James Malpede, FBI, described the mortgage fraud problem in Utah, stating it is now ranked the second worst in the country.
- Sen. Peterson addressed the committee and encouraged with them to consider a one-time \$225,000 request to the Department of Emergency Services Homeland Security, earmarked for Hanksville, to help with a flooding situation the city has recently encountered.
- H.B. 91 **Commission on Criminal and Juvenile Justice Funding (Rep. B. Dee)**
Dave Spatafore, Police Chiefs, Val Shupe, Ogden Chief of Police, Dave Walsh CCJJ, and Richard Ziebarth, CCJJ, distributed the handout and explained the reasons this bill would be helpful to law enforcement and is a priority of police chiefs.
- H.B. 28 Rep. King **Domestic Violence and Dating Violence Amendments (Rep. D. Litvack)**
This bill is now in the Senate awaiting amendments and has a fiscal note of \$121,000. Rick Schwermer, Assistant Court Administrator, further explained the bill.

Sandy Naegle, Governor's Office Planning and Budget, addressed the committee and requested a platform request of \$1.5 million for budget system software be put on the priority list. Questions

were raised by committee members concerning the software and answered by Ms. Naegle and Phil Jeffery, Manager Budget and Policy Analysis, Governor's Office.

Sen. Waddoups requested that the Analysts' add each agency's ranking of their individual priorities before final prioritization takes place during the next meeting.

MOTION: Sen. Waddoups moved to add to the Priority List a one-time supplemental of \$225,000 to the Department of Emergency Services Homeland Security, earmarked for Hanksville, Utah. The motion passed unanimously.

MOTION: Sen. McCoy moved to place on the Priority List funding for H.B. 28, **Domestic Domestic Violence and Dating Violence Amendments (Rep. D. Litvack)**, in the amount of \$121,000 ongoing and of \$8,000 one-time General Fund. The motion passed unanimously.

MOTION: Rep. Aagard moved to place on the Priority List funding for H.B. 91, **Commission on Criminal and Juvenile Justice Funding (Rep. B. Dee)**, in the amount of \$2,250,000 ongoing. The motion passed unanimously.

MOTION: Rep. Seelig moved to place on the Building Block List \$1,500,000 ongoing to the Department of Public Safety for UHP Salary Compression. The motion passed unanimously.

Scott Duncan, Commissioner of Public Safety, explained the above item is not currently on the budget request list but is very important to their department.

MOTION: Rep. Oda moved to place on the Priority List funding for CCJJ in the amount of \$29,000 ongoing for extradition of felons. The motion passed unanimously.

MOTION: Rep. Grover moved to place on the Priority List funding for H.B. 5, **Internet Sexual Predator Penalties (Rep. P. Ray)**, in the amount of \$274,900 ongoing. The motion passed unanimously.

MOTION: Sen. McCoy moved to place on the Priority List funding for **H.B. 114, Prisoner Long-term Health Care (Rep. J. Biskupski)**, in the amount of \$18,000. The motion passed unanimously. (Note: Now that the fiscal note is below \$10,000 this item need not be prioritized by the subcommittee.)

MOTION: Rep. Grover moved to separate a Courts Building Block request for Facility Lease and Contract Obligations of \$628,900 and make a \$328,900 General Fund request and \$40,000 Dedicated Credits request for parking fees.

Dan Becker, State Court Administrator, explained issues concerning the above motion.

Rep. Hutchings relinquished the chair to Sen. Waddoups.

MOTION: Rep. Hutchings moved to place on the Priority List a one-time request of \$2,321,695 for the Court Complex Fund. The motion passed unanimously, with Rep. King and Rep. Oda absent for the vote.

MOTION: Rep. Hutchings moved to place on the Priority List funding for **H.B. 32, Expedited Parent-time Enforcement (Rep. Julie Fisher)**, in the amount of \$255,000. The motion passed unanimously with Rep. King and Rep. Oda absent for the vote.

MOTION: Rep. Hutchings moved to place on the Priority List funding for **H.B. 25, Mortgage Fraud (Rep. P. Ray)**, in the amount of \$379,800 ongoing and \$56,500 one time supplemental. The motion passed unanimously with Rep. King and Rep. Oda absent for the vote.

Rep. Hutchings resumed the chair.

MOTION: Rep. Herrod moved to place on the Priority List funding for **H.B. 86, Increased Penalty for Second Conviction for Certain Sexual Offenses Against a Child (Rep. C. Wimmer)**, in the amount of \$38,800. The motion passed with Rep. Grover, Rep. King, and Rep. Oda absent for the vote. (Note: Now that the fiscal note is below \$10,000 this item need not be prioritized by the subcommittee.)

MOTION: Rep. Herrod moved to place on the Priority List funding for **H.B. 93, Capital Offenses Amendments (Rep. P. Ray)**, in the amount of \$21,200. The motion passed unanimously with Rep. Grover, Rep. King and Rep. Oda absent for the vote.

Committee members were encouraged to give careful consideration to what they want on the Priority List before the final meeting on Monday, February 5, 2007.

Derek Byrne, Fiscal Analyst, informed the committee that a mistake had been made on the work list. He stated that no one made a motion to include the utility costs item for Corrections in the amount \$1,200,000 and it needs to be removed from the list. Mr. Byrne also noted the Analysts will have two separate lists--one for ongoing requests and another for one-time requests. He asked committee members to be sure to prioritize both of these lists.

MOTION: Rep. Grover moved to add to the Priority List funding for Corrections a request in the amount of \$1,200,000 for utility costs. The motion passed with Sen. Waddoups voting in opposition. Rep. King was absent for the vote.

MOTION: Sen. Waddoups moved to amend a request for two Performance Auditors instead of three for State Auditor in the amount of \$168,000. The motion passed unanimously with Rep. King absent for the vote.

Scott Duncan, Commissioner Department Public Safety, answered questions raised by committee members regarding UHP laptops and the DPS Tech Upgrade.

Rep. Seelig, accompanied by Palmer DePaulis, Executive Director Department of Community and Culture (DCC) addressed the committee regarding an item they would like added to the Priority List. This regards a one-time request of \$45,000 for training purposes of contacts between the public and police and would be contracted through CCJJ.

MOTION: Rep. Aagard moved to place on the Priority List funding for the Law Enforcement Performance Measure Survey in the amount of \$45,000. The motion passed unanimously with Rep. King absent for the vote.

MOTION: Sen. Waddoups moved to that CUCF Funding in the amount of \$613,900 be taken off the Priority List and be moved to the Mandatory Items List. The motion passed unanimously with Rep. King absent for the vote.

MOTION: Rep. Grover moved to adjourn the meeting. The motion passed unanimously with Rep. King absent for the vote.

Rep. Hutchings adjourned the meeting at 4:49 p.m.

Sen. Michael G. Waddoups, Co-Chair

Rep. Eric K. Hutchings, Co-Chair